

### **R marks/Arguments**

Reconsideration of the subject application, as amended, is respectfully requested.

Claims 1 through 15 are pending in the subject application.

The claims of the subject application are directed to a method and apparatus for comparing on a visual display information from a plurality of items. In claim 1, for example, within information for each of the plurality of items, passages which relate to a category of information are identified with a common tag. In the visual display, a different display area is provided for each of the plurality of items; and in each of the display areas, the passage identified by a designated common tag is displayed for the item to which the display area corresponds.

#### **Amendments to the Claims:**

By the subject amendment, claim 1 has been amended to address the Examiner's rejection under 35 U.S.C. §112, second paragraph, as discussed below, and merely clarifies and does not narrow the scope of claim 1.

Claim 2 has been amended to change "securities" to – investments –. Support for this amendment can be found at page 1, line 13 of the subject specification. The amendment is meant to merely clarify and not to narrow the scope of claim 2. In particular, the amendment clarifies for claim 2 that the subjects of the information being compared relate to "investments," such as mutual funds, financial securities, and the like. The need for such clarification became apparent upon review of the Examiner's rejection of claim 1, in paragraph 5 of the Official Action, in which the Examiner relies upon a passage from the reference which relates to "security" of a website – "analyzing security attacks and studying visitor behavior patterns" – and not the "investment" type subject matter of claim 2.

Claims 7, 12, 15 have been amended to clarify the visual proximity of the displayed information in the recited "visual display." In particular, claim 7 has been amended to insert the words "an image displayed by" in the second line of the claim, and the words "in the displayed image" in the first lines of claim paragraphs (a) and (b). Claim 12 has been amended to insert the words "providing a visual image" in the first line of the first paragraph of the claim. Claim 15 has been amended to insert the words "in a visual image" in the second line of the claim, and the words "in the visual image" in the claim paragraphs which initially recite the "first routine" and the "second routine." Support for these amendments can be found, for example, in the figures, and on page 2, line 3 to page 3, line 6, of the subject application. These amendments are intended to merely clarify and not to narrow scope of the claims.

Claims 10 and 13 have been amended to correct a typographical error. Specifically, the word "sever" has been changed to – server –.

Oath/Declaration:

In paragraph 1 of the Official Action the Examiner indicated that the oath or declaration was defective because it did not identify the citizenship of each inventor.

Submitted herewith is a substitute oath in which the citizenship of each inventor has been identified.

Rejection under 35 U.S.C. §112, second paragraph:

In paragraph 3 of the Official Action, the Examiner has rejected claim 1 under 35 U.S.C. §112, second paragraph, indicating that the phrase "substantially similar subject matter" is indefinite.

Claim 1 has been amended to substitute the words "a category of information" for the phrase "substantially similar subject matter." Support for this amendment can be found at page 2 of the subject specification, for example. Applicants respectfully submit that claim 1, as amended, satisfies 35 U.S.C.

§112, second paragraph, and that the amendment merely clarifies and does not narrow the scope of claim 1.

Rejection under 35 U.S.C. §102(b):

In paragraph 5 of the Official Action, the Examiner has rejected claims 1-15 under 35 U.S.C. §102(b) as being anticipated by Leshem et al. Applicants respectfully traverse this rejection. In both the original and the amended claims, the claimed invention provides comparative information on the visual display about a plurality of items, in contrast to Leshem et al.'s providing information about the same item in different images.

The amendments to claims 7, 12 and 15 further clarify that the comparative information about the plurality of items is found in the image provided by the visual display.

In contrast, Leshem et al. appears to display information about the same item in different images. For example, in rejecting claim 1, the Examiner points to Figs. 3-6, 14, and 21-23 in Leshem et al. As understood, Leshem et al.'s Fig. 3 displays a single frame of information about a website. Fig. 4 appears to display in one window a single frame of information about a website, and in a frame in another window information about the same website. Fig. 5 in Leshem et al. appears to show a window displaying the entire "tree" for a website superimposed upon a window showing an enlarged branch from the same "tree." Fig. 21 in Leshem et al. has a "comparison tool" key in a separate window, and provides information about the same website in the same frame. Fig. 22 in Leshem et al. appears to show in different windows information about the same item – the website – being analyzed. Thus, in Leshem et al. not only is the information being displayed information which relates to the same item, but like the prior art as described on page 1, line 19-28, of the subject specification, the information is displayed in different images or in different windows.

For at least these reasons, it is respectfully submitted that independent claims 1, 7, 12 and 15 are allowable over the art of record. Dependent claims 2-

6, 8-11, 13 and 14, as dependent from allowable base claims, are themselves allowable.

Further, as to the Examiner's rejection of claim 2, it is respectfully submitted that the original, and amended, claim refers to financial matters, such as mutual funds, and financial securities, such as described at p. 1, lines 12-18, p. 4, lines 5-7, and p. 5, line 4, for example. The passage relied upon by the Examiner in the prior art at col. 30, lines 34-41, is directed to the security of a web system, and not to financial matters. Thus, it is respectfully submitted that claim 2 is further patentable over the prior art for this reason.

For the above reasons it is respectfully submitted that the subject application is in condition for allowance, and the Examiner's indication to that end is respectfully solicited.

Respectfully submitted,

Gray Cary Ware & Freidenrich LLP

By: 

Gerald T. Sekimura  
Reg. No. 30,103  
Tel.: 415-836-2500

Attn.: Patent Department  
Gray Cary Ware & Freidenrich LLP  
153 Townsend Street, Suite 800  
San Francisco, CA 94107-1922

Attachments